

REMARKS

Claim Amendments

Applicants currently amend claims 1, 7, 13, 19, 25, and 31 in the present application to include limitations previously found in dependent claims 4, 10, 16, 22, 28, and 34.

Furthermore, Applicants currently amend claims 1, 7, 13, 19, 25, and 31 to include the limitations “wherein the value of the importance rating is dependent upon the status of the device” and “wherein a help message includes an importance rating that identifies an importance of the help message, and a device identification that identifies a device that created the help message.” Support for these limitations can be found in Applicants’ original specification at page 40, lines 4-9, and page 22, lines 15-24, respectively.

Applicants have also cancelled dependent claims 2-4, 8-10, 14-16, 20-22, 26-28, and 32-34 in the present application. Applicants submit that the amendments do not introduce any new matter into the specification and submit that the claims are in condition for allowance.

Claim Rejections – 35 U.S.C. § 103

The Office Action rejects claims 1-36 in the present application as being unpatentable over Lortz (U.S. Patent No. 6,505,243) (hereafter, ‘Lortz’) in view of Gordon, et al. (U.S. Patent Publication No. 2004/0044635). As noted above, Applicants have cancelled claims 2-4, 8-10, 14-16, 20-22, 26-28, and 32-34 in this Response. The question of whether Applicants’ remaining claims are obvious or not is examined in light of: (1) the scope and content of the prior art; (2) the differences between the claimed invention and the prior art; (3) the level of ordinary skill in the art; and (4) any relevant secondary considerations, including commercial success, long felt but unsolved needs, and failure of others. *KSR Int’l Co. v. Teleflex Inc.*, No. 04-1350, slip op. at 2 (U.S. April 30, 2007).

Although Applicants recognize that such an inquiry is an expansive and flexible one, the Office Action must nevertheless demonstrate a prima facie case of obviousness to reject Applicants’ claims for obviousness under 35 U.S.C. § 103(a). *In re Khan*, 441 F.3d 977, 985-86 (Fed. Cir. 2006). To establish a prima facie case of obviousness, the proposed

combination of the references must teach or suggest all of Applicants' claim limitations. *Manual of Patent Examining Procedure* § 2142 (citing *In re Royka*, 490 F.2d 981, 985, 180 USPQ 580, 583 (CCPA 1974)). As shown below in more detail, the proposed combination of Lortz and Gordon cannot be used to establish a prima facie case of obviousness because the proposed combination of Lortz and Gordon does not teach or suggest each and every element of the claims of the present application. The rejection of Applicants' claims should therefore be withdrawn and the claims should be allowed. Applicants respectfully traverse the rejection and request reconsideration of Applicants' claims.

**The Proposed Combination Of Lortz And Gordon
Does Not Teach Or Suggest Each And Every
Element Of Claim 1 Of The Present Application**

Independent claim 1 of the present application recites:

1. A computer implemented method for displaying a help resource associated with a device on a remote display apparatus, the method comprising:

receiving, in a display apparatus, a plurality of help messages created in a plurality of devices, wherein a help message includes an importance rating that identifies an importance of the help message, and a device identification that identifies a device that created the help message;

prioritizing one of the plurality of help messages comprising selecting a help message in dependence upon a importance rating included in the help message wherein the value of the importance rating is dependent upon the status of the device;

retrieving, in dependence upon the prioritized help message, a help resource; and

displaying, with the display apparatus, the help resource.

The proposed combination of Lortz and Gordon does not teach or suggest any of the elements of amended claim 1 in the present application. Consider, as examples of elements that Lortz and Gordon do not teach or suggest, the first and second elements of claim 1 in the present application.

Regarding the first element of claim 1, the Office Action takes the position that Lortz at column 2, lines 12-21, teaches or suggests help messages as claimed in the first element of claim 1 of present application. Lortz, at the cited reference point and all other points in Lortz, however, does not disclose help messages as claimed in the present application because Lortz does not disclose help messages that include an importance rating and a device identification. Lortz merely discloses providing device-specific help information for network-attachable devices – not help messages that include an importance rating that identifies an importance of the help message, and a device identification that identifies a device that created the help message as claimed here. As such, Lortz does not teach or suggest the first element of claim 1 in the present application.

Regarding the second element of claim 1, the Office Action takes the position that the combination of Gordon at paragraph 0036 and Lortz at column 6, lines 11-13, teaches or suggests prioritizing help messages as claimed in the present application. Neither reference, however, teaches or suggests prioritizing help messages as claimed in the present application because neither Lortz nor Gordon teaches or suggests an importance rating included in the help message wherein the value of the importance rating is dependent upon the status of the device. As such, neither Lortz nor Gordon can possibly teach or suggest prioritizing help messages in dependence upon such an importance rating. The combination Lortz and Gordon, therefore, does not teach or suggest the first

element of claim 1 in the present application. As such, Lortz does not teach or suggest the first element of claim 1 in the present application. Because the proposed combination of Lortz and Gordon does not teach or suggest each and every element of claim 1 in the present application, the combination of Lortz and Gordon cannot be used to establish a prima facie case of obviousness. The rejection of claim 1 should be withdrawn, and the claim should be allowed

**The Office Action Does Not Examine
Applicants' Claims Pursuant To *Graham***

In addition to the fact that the Office Action has not established a prima facie of obviousness there is another reason that the rejection of claim 1 should be withdrawn: The Office Action does not examine Applicants' claims in light of the factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966). The question of whether Applicants' claims are obvious or not is examined in light of: (1) the scope and content of the prior art; (2) the differences between the claimed invention and the prior art; (3) the level of ordinary skill in the art; and (4) any relevant secondary considerations, including commercial success, long felt but unsolved needs, and failure of others. *KSR Int'l Co. v. Teleflex Inc.*, No. 04-1350, slip op. at 2 (U.S. April 30, 2007); *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966). "To facilitate review, this analysis should be made explicit." *KSR*, slip op. at 14 (citing *In re Kahn*, 441 F. 3d 977, 988 (Fed. Cir. 2006)). That is, the Office Action must make explicit an analysis of the factual inquiries set forth in *Graham*. In the present case, however, the Office Action does not even mention the factual inquiries set forth in *Graham*. As such, the rejection of claim 1 under 35 U.S.C. § 103 is improper and should be withdrawn.

Relations Among Claims

Independent claims 7, 13, 19, 25, and 31 recite methods, systems, and computer program product claims for displaying a help resource associated with a device on a remote display apparatus corresponding to independent method claim 1. For the same reasons that the proposed combination of Lortz and Gordon cannot be used to establish a prima facie case of obviousness against claim 1, the proposed combination of Lortz and Gordon

also cannot be used to establish a prima facie case of obviousness against claims 7, 13, 19, 25, and 31. Independent claims 7, 13, 19, 25, and 31 are therefore patentable and should be allowed.

Claims 5-6, 11-12, 17-18, 23-24, 29-30, and 35-36 depend from independent claims 1, 7, 13, 19, 25, and 31. Each dependent claim includes all of the limitations of the independent claim from which it depends. For the same reasons that Lortz and Gordon do not teach or suggest each and every element of independent claims 1, 7, 13, 19, 25, and 31, so also Lortz and Gordon cannot possibly teach or suggest each and every element of dependent claims 5-6, 11-12, 17-18, 23-24, 29-30, and 35-36. The rejections of claims 5-6, 11-12, 17-18, 23-24, 29-30, and 35-36 therefore should be withdrawn, and these claims also should be allowed. Applicants respectfully request reconsideration of claims 5-6, 11-12, 17-18, 23-24, 29-30, and 35-36.

Conclusion

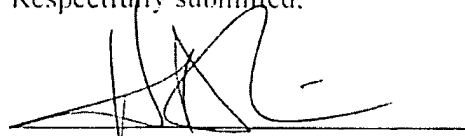
Claims 1, 5-7, 11-13, 17-19, 23-25, 29-31, and 35-36 stand rejected under 35 U.S.C. § 103 as being unpatentable over Lortz and Gordon. As shown above, the proposed combination of Lortz and Gordon does not teach or suggest each and every element of the claims in the present application. The proposed combination of Lortz and Gordon, therefore, cannot be used to establish a prima facie case of obviousness. The rejection of claims 1, 5-7, 11-13, 17-19, 23-25, 29-31, and 35-36 should be withdrawn, and the claims should be allowed. Applicants respectfully request reconsideration of claim 1, 5-7, 11-13, 17-19, 23-25, 29-31, and 35-36 in the present application.

The Commissioner is hereby authorized to charge or credit Deposit Account No. 09-0447 for any fees required or overpaid.

Respectfully submitted,

Date: March 25, 2008

By:

A handwritten signature in black ink, appearing to read 'H. Artoush Ohanian', is written over a horizontal line.

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